

**WILDLIFE AND BOAT COMMITTEE MEETING MINUTES**  
**4000 WEST BROAD STREET**  
**RICHMOND, VIRGINIA**  
**AUGUST 21, 2006, 3:00 p.m.**

**PRESENT:** Jimmy Hazel, Chairman, William T. Greer, Jr., Richard Railey, Jr., and Ward Burton; Sherry Smith Crumley, Board Vice Chairman and John W. Montgomery, Jr., Board Chairman; **INTERIM DIRECTOR**, Colonel W. Gerald Massengill; **SENIOR STAFF**, Bob Duncan, Ray Davis, Mike Bise, Gary Martel, Virgil Kopf, David Whitehurst, Charlie Sledd

Chairman Hazel called the meeting to order at 3:00 p.m. All Committee members were in attendance.

**Committee Charter:** Bob Duncan presented for discussion the proposed Charter for the Wildlife and Boat Committee.

**Mr. Railey moved, seconded by Mr. Burton, passed unanimously in a show of hands vote, to recommend to the Board that it approve the Wildlife and Boat Committee's Charter. Ayes: Railey, Burton, Hazel, Greer**

**Migratory Waterfowl Seasons:** Bob Ellis presented an overview of the federal framework and staff recommendations for migratory waterfowl seasons. Breeding conditions have been good. Three changes in the framework include a 30-day and two bag limit goose season for Back Bay; a 60-day canvasback season, and the bag limit for hooded mergansers is recommended to change from one to two birds.

**Mallard Release Area Discussion:** Bob Ellis presented a historical overview of captive reared mallards and staff concerns pertaining to mallard release areas (MRAs), a shooting preserve that allows the harvest of captive reared mallards. DGIF issues permits for mallard release areas.

Mr. Ellis noted that Virginia has 125 permitted shooting preserves, nine tower shoots and four MRAs.

Approximately 25,000 to 30,000 mallards are released by Maryland annually from its 59 MRAs. Virginia began issuing permits for MRAs in 2001, and up to five operations have been permitted since that time. It is estimated that approximately 2,500 birds will be released by the MRAs in Virginia this year.

Staff has concerns with the release of captive reared mallards. Operators must choose between Tower Shoots or MRAs. They are not allowed to have both operations. In Tower Shoots, birds are released from an elevated tower, and birds that are not harvested are captured and used at a future time. Birds released on MRAs are free-ranging, and those birds that are not harvested remain in the wild.

Three MRAs are located on the Eastern Shore. One is located on the James River in Prince George County. The permit for one operation was not renewed due to non-compliance of permit conditions.

Mr. Ellis reviewed the permit conditions for MRAs and provided an overview of diseases of concern including avian influenza, duck virus enteritis, botulism, and avian cholera. Hybridization is also of concern since mallards are established in traditional black duck nesting areas in Virginia. Black duck are a federal and state species of concern.

Mallards released from MRAs can confound waterfowl harvest data. Law enforcement concerns include the issue of live decoys, wild ducks being attracted to the presence or calls of captive mallards, along with baiting concerns and risks to hunters that are hunting in areas adjacent to the MRAs.

Staff recommended that the Wildlife and Boat Committee request the Board to place a moratorium on the issuance of any new MRA permits.

Mr. Hazel noted for the record that he is a holder of a permit from the Department for a shooting preserve. He does not hold a MRA permit.

**Dr. Greer moved, seconded by Mr. Burton, passed unanimously in a show of hands vote that the Wildlife and Boat Committee recommend that the Board place a moratorium on the issuance of any new mallard release area permits. Ayes: Greer, Burton, Hazel and Railey**

**Sunday Hunting:** Bob Duncan presented a historical briefing on the Sunday hunting issue. State statute prohibits hunting on Sunday.

Multiple bills have been introduced in the General Assembly over the past 20 years dealing with some aspect of Sunday hunting and most have been unsuccessful.

At its May 6, 1999 meeting, the Board of Game and Inland Fisheries adopted a resolution stating that Sunday hunting was a legislative matter and those interested in the issue should take their concerns to their appropriate legislative representatives. As a result of this resolution, 1996 was the last time a question on Sunday hunting was included on a Department opinion survey. Responsive Management conducted an opinion survey in 2000 that obtained data on the Sunday hunting issue.

Currently 41 states allow Sunday hunting. Of the remaining nine, five states allow some form of hunting on Sundays, including Virginia. Four states, North Carolina, Connecticut, Maine and Delaware prohibit hunting on Sunday. North Carolina is currently conducting an extensive public opinion survey on the issue.

West Virginia allows hunting on Sundays, but counties are allowed to opt out. Currently 14 West Virginia counties remain open for Sunday hunting and 35 counties are now closed as a result of the local provision to opt out.

Mr. Duncan presented an overview of the Department's 1996-97 public opinion survey results where hunters were basically split, but more hunters opposed rather than supported Sunday hunting. Results also vary by regions, with more support for Sunday hunting found in Regions I and V (Tidewater and Northern Virginia). The Responsive Management survey indicated that 34 % of the responders supported Sunday hunting while 45% were opposed. Also, the residence of the responder was reflected in their opinion. Those living in rural areas and towns were more likely to oppose Sunday hunting, while those living in urban and suburban areas were likely to support Sunday hunting. Additionally, age was reflected in one's opinion on the topic. In the age group 65 and over, 65% were strongly opposed to Sunday hunting. In younger groups, more support was found for the opportunity to hunt on Sunday. In the Responsive Management telephone survey of 876 contacts, 45% strongly opposed and 7% moderately opposed Sunday hunting. Thirty-four percent strongly supported and 9% moderately supported Sunday hunting.

Of the 806 Virginia resident respondents, 44% strongly opposed and 16% strongly supported Sunday hunting. Six percent stated they strongly opposed all hunting.

Mr. Duncan noted that Sunday hunting is a social rather than a biological issue. From the agency resource perspective, the impact of Sunday hunting is felt to be negligible. Additionally, Sunday hunting might be of economic benefit to the state.

Recognizing that the current data is dated, staff prepared a survey proposal for the Committee's consideration. Staff suggested a random poll of 5,000 licensed hunters who purchased licenses for the 2006-07 hunting season. The poll would be performed after November 1, 2006, and would be conducted internally. Agency staff would perform the data analysis. The estimated cost for the internal survey is \$10,000, and it was the consensus of the Committee that staff proceed with its proposed survey.

Mr. Duncan also reported that Responsive Management had been approached about its availability to conduct a Sunday hunting survey for the agency. Mr. Duda submitted a proposal entitled, "A Study of Attitudes Towards and Opinions on Sunday Hunting in Virginia". Mr. Duda proposed a three-month study that would include hunters,

landowners and citizens. Responsive Management would conduct a telephone survey at a cost of approximately \$45,000. To obtain economic data, the cost would be approximately \$75,000. The Committee requested a copy of the Responsive Management proposal for each of its members.

The Committee encouraged staff to delay its study until a good representation of licensed hunters can be obtained. When appropriate, staff was also encouraged to look for funding for the survey from external sources. The Committee also felt that the internal survey results could help determine if a more extensive survey would be appropriate at a greater cost.

Chairman Hazel provided an opportunity for the public to comment on the topic of Sunday hunting.

**Butch Ammon, Richmond, Virginia** spoke in support of Sunday hunting. He shared data with the Board that he had obtained from the Web site Vadeer.com. A survey conducted by a group at the Outdoor Show found that 90% of the respondents favored Sunday hunting. Mr. Ammon asked that the information be treated with confidentiality, and he was advised that any information submitted to the Committee would be subject to the Virginia Freedom of Information Act.

Mr. Ammon also shared information that he had compiled on Sunday hunting practices in surrounding states, their license fees, harvest ratio, and hunter participation. He also indicated that Virginia's opportunities are outstanding when compared to other states.

**Radar Use on Virginia Waters:** Mike Bise distributed copies of data obtained from the use of radar on Smith Mountain Lake. Colonel Bise indicated that the 2006 General Assembly considered imposing speed limits on this lake, but deferred action to allow the Department to obtain data on boat speeds on Smith Mountain Lake. Radar equipment was obtained with grant funds, and random surveys have been performed on Smith Mountain, Lake Anna, Lake Moomaw, the lower James River, Claytor Lake and other large water impoundments. The data is inconclusive at this time.

Chairman Hazel called for public comment and there was none.

**Wildlife Disease Concerns:** Bob Duncan presented a briefing to the Committee on staff concerns for wildlife diseases and advised members that staff plans to bring proposed regulations to the Board at its October 17, 2006 meeting to address concerns. Legislation was enacted during the 2006 General Assembly session that grants the Department, in consultation with the Department of Agriculture and Consumer Services, the state veterinarian and representatives of appropriate agricultural agencies and organizations, to promulgate regulations pertaining to wildlife diseases in wildlife populations in Virginia. The regulations may include measures to eradicate or prevent the spread of diseases,

procedures for the condemnation and indemnification of captive wildlife. The enabling legislation stipulates that DGIF regulations cannot conflict with laws and/or regulations of the Department of Agriculture and Consumer Services or state veterinarian.

The Wildlife and Boat Committee plans to schedule a meeting prior to the October 17 Board meeting, and staff was requested to present proposed regulations to the Committee for review at that meeting.

Respectfully submitted

Belle Harding  
Board Secretary